

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CYTOLOGIX CORPORATION,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

Civil Action No. 04-11783 (RWZ)

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**CYTOLOGIX CORPORATION'S MOTION TO IMPOUND**

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Pursuant to Local Rule 7.2 and this Court's order of December 1, 2005, Plaintiff CytoLogix Corporation hereby moves the Court for an order impounding unredacted exhibits to the Declaration of Michael E. Zeliger in Support of CytoLogix Corporation's Motion for Reconsideration and to Amend Judgment.

As grounds for this Motion, CytoLogix states that the exhibits include information designated as "Restricted Confidential" under the terms of the Protective Order entered on December 1, 2005. These exhibits include communications between CytoLogix and its licensee, Dako Denmark A/S ("Dako"). These communications are confidential to Dako and CytoLogix. Pursuant to this Court's order of December 1, 2005, CytoLogix has lodged the exhibits with the Court under seal, with the "Confidential Information" highlighted.

The impoundment sought herein should continue until sixty days after entry of final judgment in this case. Thereafter, the materials shall be returned to counsel for CytoLogix.

Dated: October 31, 2007

/s/ Michael E. Zeliger  
Michael E. Zeliger (BBO # 633654)  
David A. Simons (BBO # 638740)  
Jackson Ho (BBO# 663413)  
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**LOCAL RULE 7.1(A)(2) CERTIFICATION**

Counsel hereby certifies, in accordance with Local Rule 7.1(A)(2), that prior to filing this paper the parties have conferred and attempted in good faith to resolve or narrow the issues presented herein. Plaintiff has assented to this motion to impound.

/s/ Michael E. Zeliger

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing CYTOLOGIX CORPORATION'S MOTION TO IMPOUND, to be served upon counsel of record this 31 day of October, 2007, by filing it with the Court's ECF system.

/s/ Jackson Ho